

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

CALIFORNIA SERVICE EMPLOYEES HEALTH & WELFARE TRUST FUND, et al.,

Plaintiffs,

V.

A & B MAINTENANCE, INC.,

Defendant.

NO. CO7-4945 TEH

**STIPULATION TO CONTINUE
FRCP RULE 26 DISCLOSURES AND
CASE MANAGEMENT
CONFERENCE HEARING;**

**DECLARATION OF AREVA D.
MARTIN PURSUANT TO LOCAL
RULE 6-2(a);**

ORDER BASED THEREON

STIPULATION

WHEREAS, Defendant A&B MAINTENANCE, INC. ("Defendant") has filed and served its Answer to the Complaint and Counterclaim against the Plaintiffs;

WHEREAS, the Court has set a Case Management Conference for March 10, 2008;

WHEREAS, under FRCP Rule 12(f)(6), Plaintiffs and Defendant ("Parties") are required to submit their Joint Case Management Statement and Initial Disclosures to the court no later than March 3, 2008:

1 WHEREAS, the Parties have agreed to stay temporarily the litigation as they
2 have entered into serious settlement negotiations and expect to resolve this matter;
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4 WHEREAS, the Parties desire to conserve resources while they participate in
5 settlement negotiations;

6 THEREFORE, the Parties are stipulating to a 60-day continuance of the Case
7 Management Conference hearing from March 10 to May 12, 2008 or any date
8 thereafter that is most convenient for the court;

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1 The Parties further stipulate to the corresponding continuance of the due date
2 for submission of the Parties' Joint Case Management Statement and Initial
3 Disclosures under FRCP Rule 26(a).

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5 Dated: February 26, 2008

SALTZMAN & JOHNSON

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7 By: Philip M. Miller

8 Phillip Miller, Esq.
9 Kristen McCullough, Esq.
10 Attorneys for Plaintiffs
11 CALIFORNIA SERVICE
12 EMPLOYEES HEALTH &
13 WELFARE TRUST FUND, MIKE
14 GARCIA, Trustee, CHARLES
15 GILCHRIST, Trustee and
16 RAYMOND C. NANN.

17
18 Dated: February 26, 2008

MARTIN & MARTIN, LLP

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20 By: _____
21 Areva D. Martin, Esq.
22 Rosa Kwong, Esq.
23 Attorneys for Defendant
24 A&B MAINTENANCE, INC.

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

26 The case management conference shall be continued to May
27 12, 2008 at 1:30 PM. The parties shall file a joint case
28 management statement on or before May 5, 2008.

DATED: 02/26/08

THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

